

EXHIBIT 8

10/18/2024

VirtaMove Corp. v. Amazon.com, Inc., et al.

Gregory O'Connor

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

VIRTAMOVE, CORP.,)
PLAINTIFF,) CASE NO.
v.) 7:24-CV-00030
AMAZON.COM, INC.; AMAZON.COM)
SERVICES LLC; AND AMAZON WEB)
SERVICES, INC.,)
DEFENDANTS.)

VIDEOTAPED DEPOSITION OF GREGORY O'CONNOR
TAKEN REMOTELY VIA ZOOM VIDEOCONFERENCE
FRIDAY, OCTOBER 18, 2024
1:28 P.M.

Reported By:
Randi J. Garcia, RPR

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

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18 Also Present:

19 DeShawn White, Videographer and Exhibit Tech

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I N D E X

WITNESS: GREGORY O'CONNOR

EXAMINATION

PAGE

By Mr. Young:6

* * *

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1 INDEX TO EXHIBITS

2

3 EXHIBIT DESCRIPTION PAGE

4

5 Exhibit 1014 DECLARATION OF GREG O'CONNOR 11

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1 THE VIDEOGRAPHER: This is video
2 number one of the video-recorded
3 deposition of Greg O'Connor, in the matter
4 of VirtaMove Corp versus Amazon.com, Inc,
5 et al in the United States District Court
6 for Western District of Texas
7 Midland/Odessa Division, case number
8 724CV00030.

9 This deposition is being held by Zoom
10 video remote conferencing, on October 18,
11 2024.

12 The time on the video screen is
13 1:28 p.m. Eastern Time.

14 My name is DeShawn White. I'm the
15 legal videographer from Digital Evidence
16 Group.

17 The court reporter is Randi Garcia,
18 in association with Digital Evidence
19 Group.

20 Will counsel please introduce
21 themselves for the record, followed by the
22 court reporter administering the oath.

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1 MR. YOUNG: This is Logan Young of
2 Knobbe Martens Olson & Bear on behalf of
3 defendants.

4 MR. TONG: This is Peter Tong from
5 Russ, August & Kabat on behalf VirtaMove
6 Corporation and on behalf of Greg
7 O'Connor.

8 G R E G O R Y O ' C O N N O R, after having
9 been first duly sworn, was examined and
10 testified as follows:

11 EXAMINATION

12 BY MR. YOUNG:

13 Q. All right. Good afternoon,
14 Mr. O'Connor. My name is Logan. I will be
15 taking your deposition today.

16 Could you go ahead and state your
17 full name for the record.

18 A. Sure. Gregory O'Connor.

19 Q. You said that you're currently in
20 Martha's Vineyard?

21 A. I did.

22 Q. And you live in Chilmark,

1 Massachusetts; right?

2 A. I do now, yes.

3 Q. Okay. So I'd like to just ask you a
4 little bit about your work history and your
5 background. So right now you work for Blue
6 Yonder remotely?

7 A. That is correct.

8 Q. And prior to that, you worked in San
9 Francisco at a company called Verint.

10 A. I worked for Verint. It was not in
11 San Francisco.

12 Q. And before Verint you worked at a
13 company called Workday in San Francisco?

14 A. I worked at a company called Workday.
15 It was not in San Francisco.

16 Q. Okay.

17 A. Actually, it has an office in San
18 Francisco.

19 Q. Okay. So were you working remotely
20 while you were at Verint and Workday?

21 A. I worked remotely at Verint, and I
22 worked in the office at Workday.

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1 Q. And so do you have a LinkedIn
2 profile, Mr. O'Connor?

3 A. I do.

4 Q. On that LinkedIn profile, are you
5 aware that it says you're currently a product
6 leader at Blue Yonder in San Francisco,
7 California?

8 A. I am aware of that.

9 Q. And it also says that when you worked
10 at Workday, that was also in the San Francisco
11 Bay area?

12 A. Yes.

13 Q. So why did you choose to put on your
14 LinkedIn profile that you have worked and now
15 work in San Francisco?

16 A. Because most people don't know --
17 most people don't know where Pleasanton,
18 California is, so San Francisco is close to
19 there. So I changed that when I went to
20 Workday, and I haven't changed it since.

21 Q. Okay. So why did you choose to put
22 on your LinkedIn profile that you worked in

1 California, regardless of the city?

2 MR. TONG: Objection. Foundation.

3 A. (no verbal response.)

4 Q. So Mr. O'Connor, you just testified
5 that you put San Francisco because people would
6 not recognize the name of the actual city in
7 California where you worked. Why did you
8 choose to put that you worked in California as
9 opposed to remotely or in Massachusetts where
10 you just stated that you work?

11 A. I believe I just never changed it
12 from the Workday thing.

13 Q. Okay. Mr. O'Connor, when was the
14 last time that you traveled to Northern
15 California?

16 A. Where -- where -- so describe
17 Northern California.

18 Q. Well, strike that question.

19 When was the last time you traveled
20 to California?

21 A. I traveled to California?

22 Q. Yes.

1 A. Maybe either late November or early
2 December of '23.

3 Q. Fair. And how often do you travel to
4 California?

5 A. I travel a lot, so I guess it depends
6 on your definition of travel.

7 Q. How often does your travel result in
8 you being in California?

9 A. So again, I travel all the time, so I
10 guess, you know, I would go there in and out of
11 there five or six times a year maybe. Sort of
12 depends on the year.

13 Q. Okay. And when you travel to
14 California, are you there for business or
15 personal reasons?

16 A. Both.

17 Q. Both. Have you ever traveled to
18 Midland, Texas?

19 A. No.

20 Q. Do you know how long it would take
21 you to get to Midland from your home in
22 Chilmark, Massachusetts?

1 A. There was that, whatever app I did,
2 gave me some sense of the time.

3 Q. Are you referring to your
4 declaration?

5 A. Yes.

6 Q. And so you stated that it would be
7 roughly four hours to get to Midland in your
8 declaration; is that accurate?

9 MR. TONG: Objection. Form.

10 BY MR. YOUNG:

11 Q. Mr. O'Connor, you can answer the
12 question, unless counsel instructs you not to
13 do so.

14 A. Whatever I declared, I guess I
15 haven't gone back and looked at it closely.
16 Whatever I wrote is what the app told me is
17 what I declared.

18 Q. All right.

19 MR. YOUNG: DeShawn, can you mark
20 document B as Exhibit 1014.

21 (Thereupon, Exhibit 1014 was marked for
22 identification.)

1 MR. YOUNG: And could you go to
2 paragraph 11 and then to the next page
3 from there.

4 THE VIDEOGRAPHER: Counsel, I'm
5 trying to figure out what --

6 MR. YOUNG: One more page back from
7 there.

8 MR. TONG: And as an objection, there
9 is nothing in the box ShareLink right now.

10 THE VIDEOGRAPHER: I'm about to
11 upload it right now. I'm asking counsel,
12 is this the correct page you would like to
13 be on?

14 MR. YOUNG: I would like you to go
15 back two pages from what is currently
16 being shown.

17 Yeah, you can leave it on this page.

18 BY MR. YOUNG:

19 Q. Has the document been uploaded?

20 A. I see a copy on --

21 THE VIDEOGRAPHER: Yes, it is
22 uploaded.

1 THE WITNESS: I see a copy. I'm
2 clicking it now; it is just taking a
3 second to load. But I think I got it.

4 BY MR. YOUNG:

5 Q. Mr. O'Connor, do you recognize this
6 from your declaration?

7 A. Yes.

8 Q. And so do you think the estimate --
9 you estimated travel time from Chilmark to
10 Midland to be about four hours?

11 A. I'm having trouble seeing it.

12 Q. All right. Mr. O'Connor, let me ask.
13 How would you travel to Midland from Chilmark?

14 A. How would I travel? I would fly.

15 Q. Okay. And do you know if there are
16 any direct flights from Chilmark to Midland?

17 A. I do not.

18 Q. Do you know if there -- strike that
19 question.

20 Do you know the closest city to
21 Midland that you could fly directly to?

22 A. I believe it's Dallas.

1 Q. And did you know how you would get to
2 Midland if you flew into Dallas?

3 A. I believe you can drive or you can
4 take a flight.

5 Q. And do you know about how far Midland
6 is from Dallas?

7 A. It's, I believe, around 350 miles.

8 Q. Do you think you could be off by your
9 estimate there?

10 A. I don't know. I haven't looked in a
11 while. That's my recollection from 30 or so
12 days ago.

13 Q. Okay. Now, Mr. O'Connor, you also
14 have a home in California; right?

15 A. Yes.

16 Q. When is the last time you stayed
17 there?

18 A. That was when you asked me about
19 showing up there on either late November or
20 early December in '23.

21 Q. Okay. And how often do you stay at
22 your home in California?

1 A. Generally go there once a year.

2 Q. And when you're staying at your home
3 in California, do you work remotely from there?

4 A. Yes.

5 MR. TONG: Form.

6 BY MR. YOUNG:

7 Q. So Mr. O'Connor, you stated in your
8 declaration that it would be more convenient to
9 travel to Midland than to San Francisco, to the
10 Northern District of California; right?

11 A. I did.

12 Q. How do you know it would be more
13 convenient, if you have never traveled to
14 Midland?

15 A. What's the definition of convenient?

16 Q. Well, I'm asking you, in your
17 personal experience, would you -- how would you
18 personally consider it to --
19 (crosstalk)

20 A. -- so I'm telling you is convenience
21 defined by distance, and the distance is
22 shorter from my residence in Chilmark.

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1 Q. Mr. O'Connor, you just testified that
2 you don't believe there are any direct flights
3 from your residence in Chilmark to Midland;
4 right?

5 A. I did.

6 Q. And so when you're traveling to
7 Midland, how would you consider it to be more
8 convenient, if based on the straight line
9 distance, if that's not how you could travel
10 there?

11 (crosstalk)

12 A. (no audible response.)

13 MR. TONG: Objection. Asked and
14 answered.

15 BY MR. YOUNG:

16 Q. Did you answer the question, Mr.
17 O'Connor?

18 A. Excuse me?

19 Q. You can answer the question.

20 A. I think I answered it.

21 THE REPORTER: I didn't get an
22 answer, sir. You spoke over each other.

1 THE WITNESS: My understanding of the
2 definition of convenience is how far it
3 is. It's shorter from my house and
4 residence in Chilmark.

5 BY MR. YOUNG:

6 Q. Mr. O'Connor, where did you get that
7 definition of convenience?

8 MR. TONG: Objection. Caution the
9 witness not to reveal the substance of any
10 communications with counsel. You can
11 identify any attorneys that you spoke with
12 but nothing further.

13 THE WITNESS: I spoke with Peter
14 about it.

15 MR. YOUNG: Okay. Nothing further.
16 We will pass the witness.

17 MR. TONG: No further questions.
18 That concludes the deposition. Thank you,
19 Mr. O'Connor.

20 THE WITNESS: Thank you.

21 THE VIDEOGRAPHER: Okay. This
22 concludes for today's deposition. The

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1 date is October 18th, 2024. The time is

2 1:42 p.m.

3 We are now off the record.

4 (Time Noted: 1:42.)

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1 CERTIFICATE

2
3 I, the undersigned authority, hereby
4 certify that the foregoing transcript, page 1
5 through 18 is a true and correct transcription
6 of the deposition of Greg O'Connor taken before
7 me at the time and place set forth on the title
8 page hereof.

9 I further certify that said witness
10 was duly sworn by me according to law.

11 I further certify that I am not of
12 counsel to any of the parties to said cause or
13 otherwise interested in the event thereof.

14 IN WITNESS WHEREOF I hereunto set my
15 hand and affix official seal this 19TH day of
16 October, 2024.

17
18
19 

20
21 RANDI GARCIA, COURT REPORTER, RPR

22 NOTARY PUBLIC

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1 Gregory O'Connor, c/o

RUSS AUGUST & KABAT

2 4925 GREENVILLE AVENUE, SUITE 200

DALLAS, TEXAS 75206

3

Case: VirtaMove Corp. v. Amazon.com, Inc., et al.

4 Date of deposition: October 18, 2024

Deponent: Gregory O'Connor

5

6 Please be advised that the transcript in the above
referenced matter is now complete and ready for signature.

7 The deponent may come to this office to sign the transcript,

8 a copy may be purchased for the witness to review and sign,

9 or the deponent and/or counsel may waive the option of

10 signing. Please advise us of the option selected.

11 Please forward the errata sheet and the original signed

12 signature page to counsel noticing the deposition, noting the

13 applicable time period allowed for such by the governing

14 Rules of Procedure. If you have any questions, please do

15 not hesitate to call our office at (202)-232-0646.

16

17

18 Sincerely,

19 Digital Evidence Group

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22 express written consent.